

**Robert Hamilton**  
**Office of the Federal Public Defender**  
**101 S.W. Main Street, Suite 1700**  
**Portland, Oregon 97204**  
**(503) 326-2123 Telephone**  
**(503) 326-5524 Facsimile**  
**robert\_hamilton@fd.org**

**Attorney for Defendant**

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF OREGON**

**UNITED STATES OF AMERICA,**

**No. 3:20-mj-00215**

**Plaintiff,**

**v.**

**JESSE HERMAN BATES,**

**DECLARATION OF COUNSEL IN  
SUPPORT OF MOTION FOR STAY  
AND RETURN OF PROPERTY  
UNDER RULE 41(g)**

**Defendant.**

I, Robert Hamilton, declare:

1. I am the attorney appointed to represent Jesse Bates in the above-entitled case.

2. Mr. Bates was arrested on the warrant in this matter on September 1, 2020, and made his first appearance on September 2, 2020.

3. Mr. Bates was ordered released after processing. Upon release from the Multnomah County Detention Center, his property that was upon him at arrest was returned to him, with the exception of his cell phone.

4. I requested return of the phone from the government's attorney, AUSA Ratcliffe. Mr. Ratcliffe declined, indicated the phone was considered evidence, and that a search warrant was being sought.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct to the best of my knowledge and belief and that this declaration was executed on September 4, 2020, in Portland, Oregon.

/s/ Robert Hamilton

Robert Hamilton

Assistant Federal Public Defender